IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1172 OF 2003
IN
SECOND APPEAL ST.NO.30758 OF 2002

Vasant Anant Godbole and others. ... Applicants.
Versus.
Balwant Vinayak Godbole. ... Respondent.

Shri V.S.Gokhale for the Applicants.

Shri A.A.Garge for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 18th March, 2005.

P.C.:

1. Heard the learned Counsel appearing for the parties. The Application for condonation of delay is vehemently opposed by the learned Advocate for the Respondent by pointing out that there is gross and unexplained delay.

2. After having heard the Advocates appearing for the parties, I find that sufficient cause for condonation of delay is made out. The prejudice which may be caused to the Respondent can be compensated in terms of money. Accordingly the Civil Application is allowed in terms of prayer clause (a) subject to the Applicant paying the costs of Rs.2500/- to the Respondent within the period of two weeks from today. If the amount of costs is not accepted by the Respondent, the Applicant will deposit the said amount in this Court within the stipulated time. Liberty to pay the amount of costs to the Advocate for the Respondent.

Judge.